

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

Civil Action No. 02-11190

BLACK POLITICAL TASK FORCE, ET AL.,

Plaintiffs,

v.

WILLIAM FRANCIS GALVIN, IN HIS OFFICIAL CAPACITY
AS SECRETARY OF THE COMMONWEALTH OF MASSACHUSETTS,

Defendant.

Before Selya,* Circuit Judge,
Woodlock and Ponsor, District Judges.

JUDGMENT

In accordance with:

- 1) The Memorandum and Order dated February 24, 2004, Black Political Task Force v. Galvin, 300 F. Supp. 2d 291, 316-17 (D. Mass. 2004) (three-judge court), in which this Court, for the reasons stated therein, 1) struck down the Commonwealth of Massachusetts plan under Chapter 125 of the Acts of 2001 for redistricting the Massachusetts House of Representatives (Enacted Plan) insofar as it pertained to the seventeen Massachusetts House of Representatives districts at issue; 2) enjoined the Defendant from holding House elections for any of those seats under the Enacted Plan; 3) ordered the Defendant to prepare and submit for the Court's consideration, within six weeks from the date of the Memorandum and Order, a new redistricting plan consistent with the requirements of section 2 of the Voting Rights Act of 1965 (the "VRA"), 42 U.S.C. § 1973(b); and 4) retained jurisdiction over the case pending the submission, approval, and enactment of a lawful redistricting plan;
- 2) This Court's Order dated April 16, 2004 (#338) finding, *inter alia*, that: 1) the Defendant's Remedial Plan C conforms with section 2 of the VRA and with the Equal Protection Clause of the United States Constitution; and 2) the Defendant's Remedial Plan C thereby complies with the directive contained in the February 24, 2004 Memorandum and Order;

* Of the United States Court of Appeals for the First Circuit, sitting by designation.

- 3) The Defendant having confirmed that Plan C was enacted, as Chapter 74 of the Acts of 2004, without amendment to or revision of the plan as presented to this Court, by the Commonwealth of Massachusetts; and
- 4) Any remaining remedial issues in this litigation for the Massachusetts House of Representatives candidates for the 2004 election cycle having been conceded to be moot;

It is hereby ORDERED, ADJUDGED, AND DECREED:

Judgment for the Plaintiffs against the Defendant on Count I of the Plaintiffs' Second Amended Complaint, as follows:

1. **Declaratory Judgment:** Chapter 125 of the Acts of 2001, insofar as it established the bounds of those 17 Suffolk County Massachusetts House of Representatives districts located either wholly or partially within the City of Boston (Suffolk County House of Representatives districts 1-15, 17-18), violated Section 2 of the Voting Rights Act, 42 U.S.C. § 1973(b);
2. **Injunctive Relief:** The Defendant is permanently enjoined from holding House elections for those 17 House seats under Chapter 125 of the Acts of 2001; and
3. **Reasonable Attorneys' Fees and Costs** as provided by law.

It is FURTHER ORDERED, ADJUDGED, AND DECREED:

That the claims against the Defendant contained in Counts II and III of the Plaintiffs' Second Amended Complaint be DISMISSED.

BY THE COURT,

/s/ Rebecca Greenberg

Deputy Clerk

DATED: June 21, 2004